

Minister for Housing and Communities

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Shirley-Anne Sommerville MSP  
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12 January 2011

*Dear Shirley - Anne*

As you are aware, my officials have been working with City of Edinburgh Council to prepare a Scottish Statutory Instrument (SSI) to clarify that an antisocial behaviour notice (ASBN) can be issued to the owner of a short-term let, and make amendments to Part 7 of the Antisocial Behaviour etc. (Scotland) Act 2004 so that ASBNs can be more effective in addressing persistent antisocial behaviour by a series of different individuals. This will be achieved using the existing order making powers within Part 7 which allow Ministers to make such modifications as they consider necessary or expedient for the purpose of applying the Part in relation to houses which are used for holiday purposes.

I am happy to advise you that City of Edinburgh Council officials are generally supportive of these measures to hold landlords of party flats accountable for the antisocial behaviour caused by the people they let properties to. When the SSI comes into effect they will look at complaints arising from party flats with a view to using the amended Part 7 to serve early ASBNs on problem landlords. These would impose conditions upon the landlords, for example limiting the number of persons who can occupy the premises at one time, or requiring onsite attendance of staff. If the landlord does not comply with the terms of the notice then the local authority would be able to prosecute them.

We are now working to finalise the SSI and expect it to be laid before the Local Government and Communities Committee shortly.

In view of the short timescale for legislation within this Parliament it will not be possible to carry out a public consultation on the proposed SSI, I am however writing to Community Safety Partnerships, Scottish Tourism Forum, and VisitScotland to provide them with further details on what is intended.

Thank you for your continued interest in this subject.



**ALEX NEIL**